District I
1625 N French Dr., Hobbs, NM 88240
District II
1301 W Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S St Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-144
June 1, 2004

For drilling and production facilities, submit to appropriate NMOCD District Office.
For downstream facilities, submit to Santa Fe office

Pit or Below-Grade Tank Registration or Closure

Is pit or below-grade tank covered by a "general plan"? Yes ☐ No ☒
Type of action Registration of a pit or below-grade tank ☐ Closure of a pit or below-grade tank ☒

Operator _McElvain Oil & Gas Properties, Inc_____Telephone _303-893-0933 Fx308_____e-mail address DebbyP@McElvain com_____
Address ____1050 17th Street, Suite 1800, Denver, CO 80265_____
Facility or well name _Cougar Com 33 1M _____API # __30-039-26669__U/L or Qtr/Qtr __M_ Sec __33__ T ___26N__ R _2W_____
County __Rio Arriba_____ Latitude ___36 26' 11" N_____ Longitude __107 03' 41" W_____ NAD 1927 ☒ 1983 ☐
Surface Owner Federal ☐ State ☒ Private ☐ Indian ☐

Pit	**Below-grade tank**
Type Drilling ☒ Production ☐ Disposal ☐ Workover ☐ Emergency ☐ Lined ☒ Unlined ☐ Liner type Synthetic ☒ Thickness _12___mil Clay ☐ Pit Volume 18,701 bbl	Volume _____bbl Type of fluid _____ Construction material _____ Double-walled, with leak detection? Yes ☐ If not, explain why not _____

Depth to ground water (vertical distance from bottom of pit to seasonal high water elevation of ground water)	Less than 50 feet 50 feet or more, but less than 100 feet 100 feet or more	(20 points) (10 points) (0 points) 0
Wellhead protection area (Less than 200 feet from a private domestic water source, or less than 1000 feet from all other water sources)	Yes No	(20 points) (0 points) 0
Distance to surface water (horizontal distance to all wetlands, playas, irrigation canals, ditches, and perennial and ephemeral watercourses)	Less than 200 feet 200 feet or more, but less than 1000 feet 1000 feet or more	(20 points) (10 points) (0 points) 0
	Ranking Score (Total Points)	

If this is a pit closure: (1) Attach a diagram of the facility showing the pit's relationship to other equipment and tanks (2) Indicate disposal location (check the onsite box if your are burying in place) onsite ☒ offsite ☐ If offsite, name of facility (3) Attach a general description of remedial action taken including remediation start date and end date (4) Groundwater encountered No ☒ Yes ☐ If yes, show depth below ground surface_____ft and attach sample results
(5) Attach soil sample results and a diagram of sample locations and excavations

Additional Comments

RCVD MAY 15 '08
OIL CONS. DIV.
DIST. 3

The Cougar Com 33 1M was closed on 5/4/2008
5,000 ppm TPH closure standard approved by Brandon Powell on 4/29/08
EnviroTech Labs report is attached

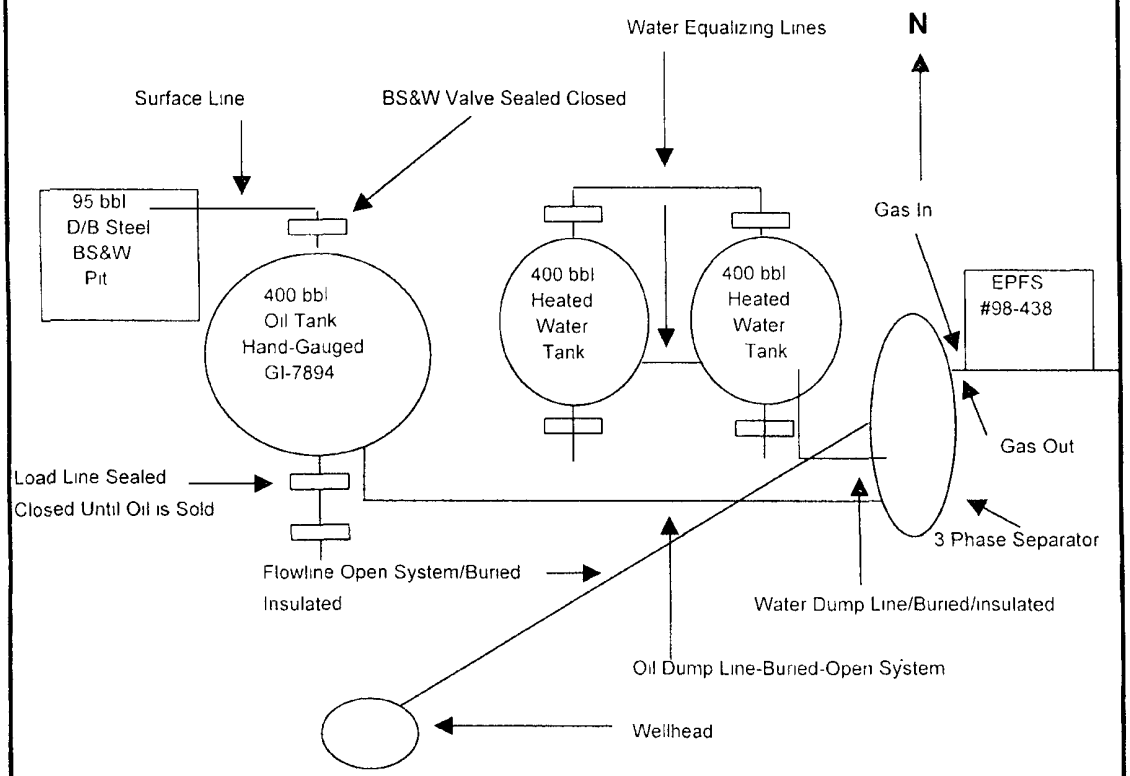
I hereby certify that the information above is true and complete to the best of my knowledge and belief **I further certify that the above-described pit or below-grade tank has been/will be constructed or closed according to NMOCD guidelines ☒, a general permit ☐, or an (attached) alternative OCD-approved plan ☐.**

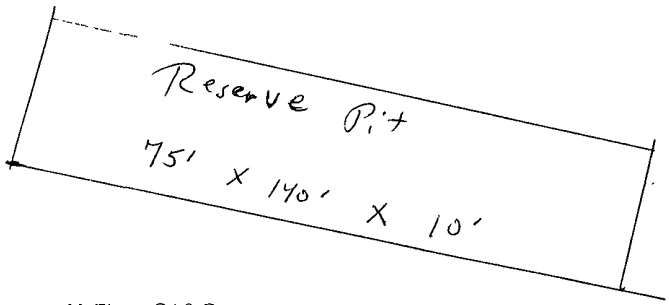
Date 5/12/2008_____
Printed Name/Title __Deborah Powell/Eng Tech Supervisor_____ Signature Deborah Powell

Your certification and NMOCD approval of this application/closure does not relieve the operator of liability should the contents of the pit or tank contaminate ground water or otherwise endanger public health or the environment Nor does it relieve the operator of its responsibility for compliance with any other federal, state, or local laws and/or regulations

Approval
Printed Name/Title Deputy Oil & Gas Inspector, District #3 Signature _____ Date MAY 30 2008

LOCATION DIAGRAM

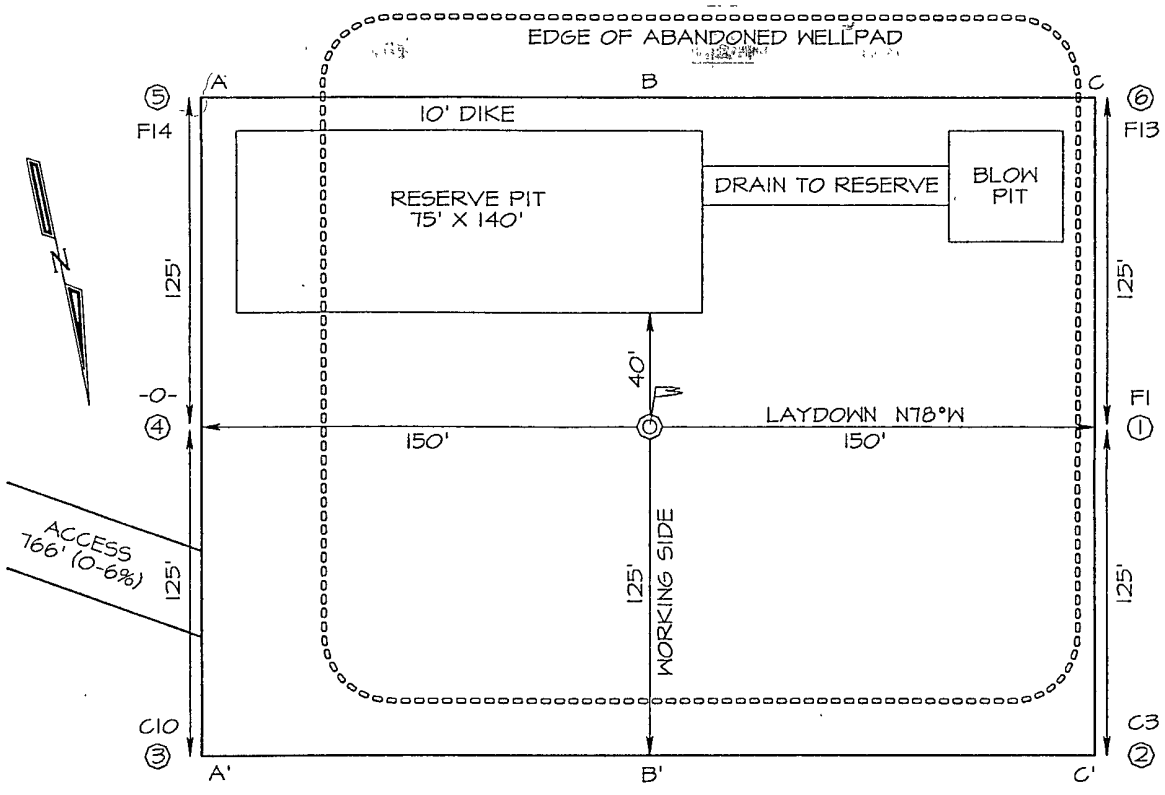




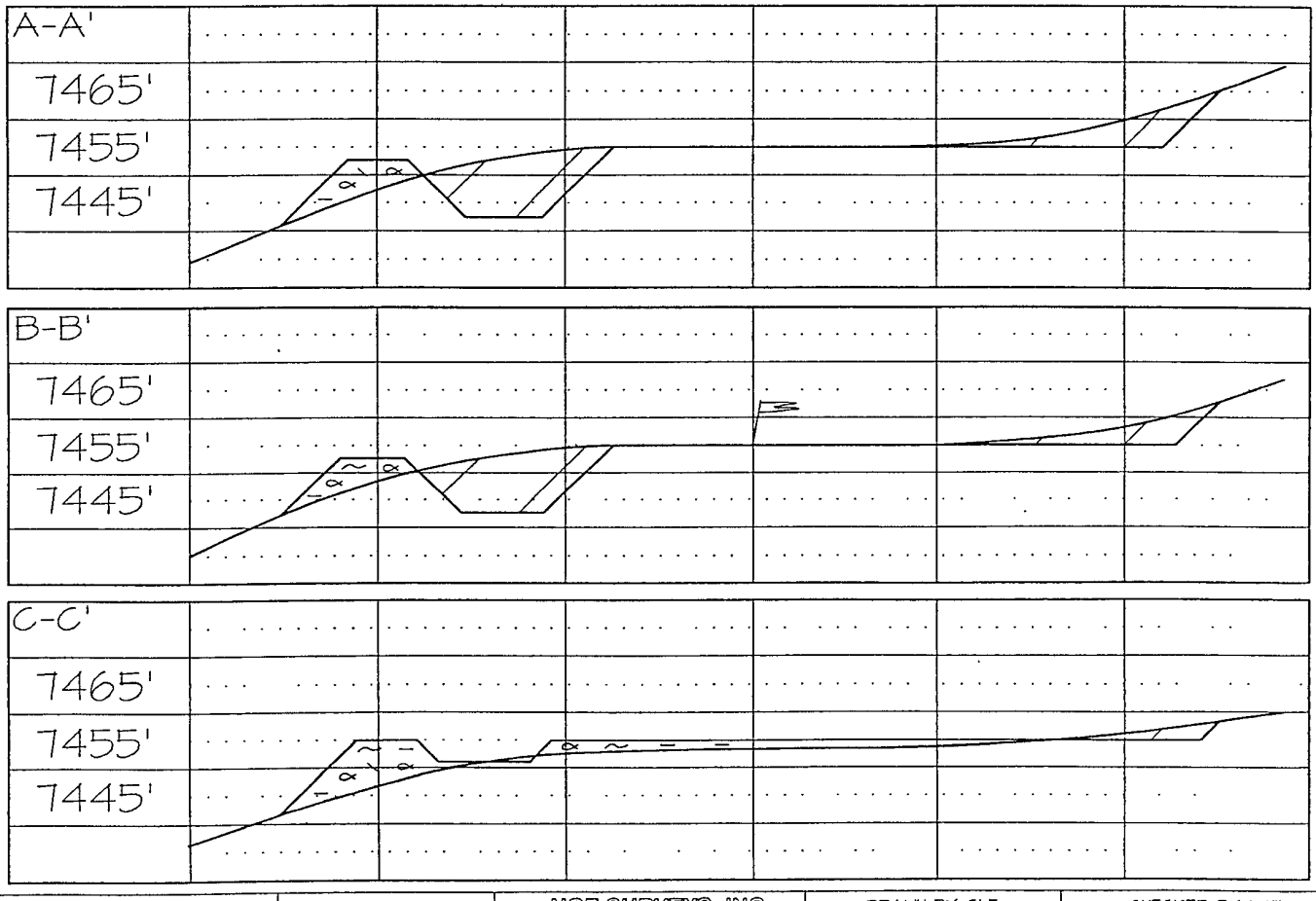
Company	McElvain Oil & Gas
Well	Cougar Com 33 #1M
Location	M Sec 33, T26N R2W
County.	Rio Arriba
Lease	Fee
Date	Apr-02
State	New Mexico
API	30-039-26669

LOG/CA Form No 3

McELVAIN OIL & GAS PROPERTIES COUGAR COM 33 #1M
795' FSL, 850' FWL, SECTION 33, T26N, R2W, NMPM
RIO ARRIBA COUNTY, NM, GROUND ELEVATION: 7455'



LATITUDE: 36°26'11"
LONGITUDE: 107°03'41"



FILENAME: 26233MT	SHEET 2 OF 3	NCE SURVEYS, INC.	DRAWN BY: SLE	CHECKED BY: NCE

ENVIROTECH LABS

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

EPA METHOD 8015 Modified
Nonhalogenated Volatile Organics
Total Petroleum Hydrocarbons

Client:	McElvain	Project #:	06039-0009
Sample ID:	Composite #1	Date Reported:	04-16-08
Laboratory Number:	44980	Date Sampled:	04-14-08
Chain of Custody No:	4211	Date Received:	04-14-08
Sample Matrix:	Soil	Date Extracted:	04-15-08
Preservative:	Cool	Date Analyzed:	04-15-08
Condition:	Intact	Analysis Requested:	8015 TPH

Parameter	Concentration (mg/Kg)	Det. Limit (mg/Kg)
Gasoline Range (C5 - C10)	**52.5**	**0.2**
Diesel Range (C10 - C28)	**668**	**0.1**
Total Petroleum Hydrocarbons	**720**	**0.2**

ND - Parameter not detected at the stated detection limit.

References: Method 8015B, Nonhalogenated Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Comments: **Cougar Com 33 #1M.**

Analyst

Review

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ENVIROTECH LABS

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

EPA METHOD 8015 Modified
Nonhalogenated Volatile Organics
Total Petroleum Hydrocarbons

Client:	McElvain	Project #:	06039-0009
Sample ID:	Composite #2	Date Reported:	04-16-08
Laboratory Number:	44981	Date Sampled:	04-14-08
Chain of Custody No:	4211	Date Received:	04-14-08
Sample Matrix:	Soil	Date Extracted:	04-15-08
Preservative:	Cool	Date Analyzed:	04-15-08
Condition:	Intact	Analysis Requested:	8015 TPH

Parameter	Concentration (mg/Kg)	Det. Limit (mg/Kg)
Gasoline Range (C5 - C10)	**279**	**0.2**
Diesel Range (C10 - C28)	**2,890**	**0.1**
Total Petroleum Hydrocarbons	**3,170**	**0.2**

ND - Parameter not detected at the stated detection limit.

References: Method 8015B, Nonhalogenated Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Comments: **Cougar Com 33 #1M.**

Analyst

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ENVIROTECH LABS

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

EPA METHOD 8015 Modified
Nonhalogenated Volatile Organics
Total Petroleum Hydrocarbons

Client:	McElvain	Project #:	06039-0009
Sample ID:	Wall Composite	Date Reported:	04-16-08
Laboratory Number:	44982	Date Sampled:	04-14-08
Chain of Custody No:	4211	Date Received:	04-14-08
Sample Matrix:	Soil	Date Extracted:	04-15-08
Preservative:	Cool	Date Analyzed:	04-15-08
Condition:	Intact	Analysis Requested:	8015 TPH

Parameter	Concentration (mg/Kg)	Det. Limit (mg/Kg)
Gasoline Range (C5 - C10)	**ND**	**0.2**
Diesel Range (C10 - C28)	**1,810**	**0.1**
Total Petroleum Hydrocarbons	**1,810**	**0.2**

ND - Parameter not detected at the stated detection limit.

References: Method 8015B, Nonhalogenated Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Comments: **Cougar Com 33 #1M.**

Analyst

Review

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ENVIROTECH LABS

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

EPA Method 8015 Modified
Nonhalogenated Volatile Organics
Total Petroleum Hydrocarbons

Quality Assurance Report

Client:	QA/QC	Project #:	N/A
Sample ID:	04-15-08 QA/QC	Date Reported:	04-16-08
Laboratory Number:	44973	Date Sampled:	N/A
Sample Matrix:	Methylene Chloride	Date Received:	N/A
Preservative:	N/A	Date Analyzed:	04-15-08
Condition:	N/A	Analysis Requested:	TPH

	I-Cal Date	I-Cal RF:	C-Cal RF:	% Difference	Accept. Range
Gasoline Range C5 - C10	05-07-07	1.0036E+003	1.0040E+003	**0.04%**	**0 - 15%**
Diesel Range C10 - C28	05-07-07	9.9986E+002	1.0003E+003	**0.04%**	**0 - 15%**

Blank Conc. (mg/L - mg/Kg)	Concentration	Detection Limit
Gasoline Range C5 - C10	**ND**	**0.2**
Diesel Range C10 - C28	**ND**	**0.1**
Total Petroleum Hydrocarbons	**ND**	**0.2**

Duplicate Conc. (mg/Kg)	Sample	Duplicate	% Difference	Accept. Range
Gasoline Range C5 - C10	**ND**	**ND**	**0.0%**	**0 - 30%**
Diesel Range C10 - C28	**4.4**	**4.4**	**0.0%**	**0 - 30%**

Spike Conc. (mg/Kg)	Sample	Spike Added	Spike Result	% Recovery	Accept. Range
Gasoline Range C5 - C10	**ND**	**250**	**250**	**100%**	**75 - 125%**
Diesel Range C10 - C28	**4.4**	**250**	**248**	**97.6%**	**75 - 125%**

ND - Parameter not detected at the stated detection limit.

References: Method 8015B, Nonhalogenated Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Comments: **QA/QC for Samples 44973 and 44980 - 44982.**

Analyst

Review

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ENVIROTECH LABS

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

EPA METHOD 8021
AROMATIC VOLATILE ORGANICS

Client:	McElvain	Project #:	06039-0009
Sample ID:	Composite #1	Date Reported:	04-16-08
Laboratory Number:	44980	Date Sampled:	04-14-08
Chain of Custody:	4211	Date Received:	04-14-08
Sample Matrix:	Soil	Date Analyzed:	04-15-08
Preservative:	Cool	Date Extracted:	04-15-08
Condition:	Intact	Analysis Requested:	BTEX

Parameter	Concentration (ug/Kg)	Det. Limit (ug/Kg)
Benzene	**1.6**	**0.9**
Toluene	**7.2**	**1.0**
Ethylbenzene	**11.1**	**1.0**
p,m-Xylene	**84.5**	**1.2**
o-Xylene	**30.3**	**0.9**
Total BTEX	**135**	

ND - Parameter not detected at the stated detection limit.

Surrogate Recoveries:	Parameter	Percent Recovery
	Fluorobenzene	**98.0 %**
	1,4-difluorobenzene	**98.0 %**
	Bromochlorobenzene	**98.0 %**

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Method 8021B, Aromatic Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Comments: **Cougar Com 33 #1M.**

Analyst

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ENVIROTECH LABS

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

EPA METHOD 8021
AROMATIC VOLATILE ORGANICS

Client:	McElvain	Project #:	06039-0009
Sample ID:	Composite #2	Date Reported:	04-16-08
Laboratory Number:	44981	Date Sampled:	04-14-08
Chain of Custody:	4211	Date Received:	04-14-08
Sample Matrix:	Soil	Date Analyzed:	04-15-08
Preservative:	Cool	Date Extracted:	04-15-08
Condition:	Intact	Analysis Requested:	BTEX

Parameter	Concentration (ug/Kg)	Det. Limit (ug/Kg)
Benzene	**2.6**	**0.9**
Toluene	**33.3**	**1.0**
Ethylbenzene	**67.1**	**1.0**
p,m-Xylene	**568**	**1.2**
o-Xylene	**167**	**0.9**
Total BTEX	**838**	

ND - Parameter not detected at the stated detection limit.

Surrogate Recoveries:	Parameter	Percent Recovery
	Fluorobenzene	**99.0 %**
	1,4-difluorobenzene	**99.0 %**
	Bromochlorobenzene	**99.0 %**

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Method 8021B, Aromatic Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Comments: **Cougar Com 33 #1M.**

Analyst

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ENVIROTECH LABS

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

EPA METHOD 8021
AROMATIC VOLATILE ORGANICS

Client:	McElvain	Project #:	06039-0009
Sample ID:	Wall Composite	Date Reported:	04-16-08
Laboratory Number:	44982	Date Sampled:	04-14-08
Chain of Custody:	4211	Date Received:	04-14-08
Sample Matrix:	Soil	Date Analyzed:	04-15-08
Preservative:	Cool	Date Extracted:	04-15-08
Condition:	Intact	Analysis Requested:	BTEX

Parameter	Concentration (ug/Kg)	Det. Limit (ug/Kg)
Benzene	**ND**	**0.9**
Toluene	**ND**	**1.0**
Ethylbenzene	**ND**	**1.0**
p,m-Xylene	**ND**	**1.2**
o-Xylene	**ND**	**0.9**
Total BTEX	**ND**	

ND - Parameter not detected at the stated detection limit.

Surrogate Recoveries:	Parameter	Percent Recovery
	Fluorobenzene	**97.0 %**
	1,4-difluorobenzene	**97.0 %**
	Bromochlorobenzene	**97.0 %**

References: Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Method 8021B, Aromatic Volatile Organics, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.

Comments: **Cougar Com 33 #1M.**

Analyst

Review

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ENVIROTECH LABS

PRACTICAL SOLUTIONS FOR A BETTER TOMORROW

EPA METHOD 8021
AROMATIC VOLATILE ORGANICS

Client:	N/A	Project #:	N/A
Sample ID:	04-15-BTEX QA/QC	Date Reported:	04-16-08
Laboratory Number:	44973	Date Sampled:	N/A
Sample Matrix:	Soil	Date Received:	N/A
Preservative:	N/A	Date Analyzed:	04-15-08
Condition:	N/A	Analysis:	BTEX

Calibration and Detection Limits (ug/L)	I-Cal RF:	C-Cal RF:	%Diff. Accept Range 0 - 15%	Blank Conc	Detect. Limit
Benzene	5.5330E+007	5.5441E+007	**0.2%**	**ND**	**0.1**
Toluene	4.7374E+007	4.7469E+007	**0.2%**	**ND**	**0.1**
Ethylbenzene	3.6576E+007	3.6650E+007	**0.2%**	**ND**	**0.1**
p,m-Xylene	7.2687E+007	7.2833E+007	**0.2%**	**ND**	**0.1**
o-Xylene	3.5372E+007	3.5443E+007	**0.2%**	**ND**	**0.1**

Duplicate Conc. (ug/Kg)	Sample	Duplicate	%Diff.	Accept Range	Detect. Limit
Benzene	**ND**	**ND**	**0.0%**	**0 - 30%**	**0.9**
Toluene	**6.3**	**6.0**	**4.8%**	**0 - 30%**	**1.0**
Ethylbenzene	**4.2**	**4.2**	**0.0%**	**0 - 30%**	**1.0**
p,m-Xylene	**14.4**	**14.3**	**0.7%**	**0 - 30%**	**1.2**
o-Xylene	**3.3**	**3.2**	**3.0%**	**0 - 30%**	**0.9**

Spike Conc. (ug/Kg)	Sample	Amount Spiked	Spiked Sample	% Recovery	Accept Range
Benzene	**ND**	**50.0**	**49.5**	**99.0%**	**39 - 150**
Toluene	**6.3**	**50.0**	**54.3**	**96.4%**	**46 - 148**
Ethylbenzene	**4.2**	**50.0**	**53.6**	**98.9%**	**32 - 160**
p,m-Xylene	**13**	**100**	**108**	**95.6%**	**46 - 148**
o-Xylene	**3.3**	**50.0**	**52.3**	**98.1%**	**46 - 148**

ND - Parameter not detected at the stated detection limit.

References:
Method 5030B, Purge-and-Trap, Test Methods for Evaluating Solid Waste, SW-846, USEPA, December 1996.
Method 8021B, Aromatic and Halogenated Volatiles by Gas Chromatography Using Photoionization and/or Electrolytic Conductivity Detectors, SW-846, USEPA December 1996.

Comments: **QA/QC for Samples 44973 and 44980 - 44982.**

Analyst

Review

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CHAIN OF CUSTODY RECORD

4211

Client:	Project Name / Location:
McElvain	Cougar Com 33 # 1M
Client Address:	Sampler Name: G. Crabtree
Client Phone No.:	Client No.: 06039-0009

Sample No./ Identification	Sample Date	Sample Time	Lab No.	Sample Matrix	No./Volume of Containers	Preservative HgCl2	Preservative HNO3	TPH (Method 8015)	BTEX (Method 8021)	VOC (Method 8260)	RCRA 8 Metals	Cation / Anion	RCI	TCLP with H/P	PAH	TPH (418.1)					Sample Cool	Sample Intact
Composite #1	4/14/08	1150	44980	Soil	1-40z			✓	✓							RUSH					✓	✓
Composite #2	"	1205	44981	"	"			✓	✓												✓	✓
Well composite	"	1220	44982	"	"			✓	✓												✓	✓

ANALYSIS / PARAMETERS

Relinquished by: (Signature)	Date	Time	Received by: (Signature)	Date	Time
[signature]	4/14/08	1725	[signature]	4/14/08	1725
Relinquished by: (Signature)			Received by: (Signature)		
Relinquished by: (Signature)			Received by: (Signature)		

ENVIROTECH INC.

5796 U.S. Highway 64 • Farmington, New Mexico 87401 • (505) 632-0615

san juan reproduction 578-129